

(3) **VOUCHERS.**—A nuclear supplier shall submit payment certification vouchers to the Secretary of the Treasury in accordance with section 3325 of title 31, United States Code.

(b) **USE OF FUNDS.**—

(1) **IN GENERAL.**—Amounts paid into the Treasury under subsection (a) shall be available to the Secretary of the Treasury, without further appropriation and without fiscal year limitation, for the purpose of making the contributions of public funds required to be made by the United States under the Convention.

(2) **ACTION BY SECRETARY OF TREASURY.**—The Secretary of the Treasury shall pay the contribution required under the Convention to the court of competent jurisdiction under Article XIII of the Convention with respect to the applicable covered incident.

(c) **FAILURE TO PAY.**—If a nuclear supplier fails to make a payment required under this section, the Secretary may take appropriate action to recover from the nuclear supplier—

(1) the amount of the payment due from the nuclear supplier;

(2) any applicable interest on the payment; and

(3) a penalty of not more than twice the amount of the deferred payment due from the nuclear supplier.

SEC. 10. LIMITATION ON JUDICIAL REVIEW; CAUSE OF ACTION.

(a) **LIMITATION ON JUDICIAL REVIEW.**—

(1) **IN GENERAL.**—In any civil action arising under the Convention over which Article XIII of the Convention grants jurisdiction to the courts of the United States, any appeal or review by writ of mandamus or otherwise with respect to a nuclear incident that is not a Price-Anderson incident shall be in accordance with chapter 83 of title 28, United States Code, except that the appeal or review shall occur in the United States Court of Appeals for the District of Columbia Circuit.

(2) **SUPREME COURT JURISDICTION.**—Nothing in this subsection affects the jurisdiction of the Supreme Court of the United States under chapter 81 of title 28, United States Code.

(b) **CAUSE OF ACTION.**—

(1) **IN GENERAL.**—Subject to paragraph (2), in any civil action arising under the Convention over which Article XIII of the Convention grants jurisdiction to the courts of the United States, in addition to any other cause of action that may exist, an individual or entity shall have a cause of action against the operator to recover for nuclear damage suffered by the individual or entity.

(2) **REQUIREMENT.**—Paragraph (1) shall apply only if the individual or entity seeks a remedy for nuclear damage (as defined in Article I of the Convention) that was caused by a nuclear incident (as defined in Article I of the Convention) that is not a Price-Anderson incident.

(3) **EFFECT OF SUBSECTION.**—Nothing in this subsection limits, modifies, extinguishes, or otherwise affects any cause of action that would have existed in the absence of enactment of this subsection.

SEC. 11. RIGHT OF RECOURSE.

This Act does not provide to an operator of a covered installation any right of recourse under the Convention.

SEC. 12. PROTECTION OF SENSITIVE UNITED STATES INFORMATION.

Nothing in the Convention or this Act requires the disclosure of—

(1) any data that, at any time, was Restricted Data (as defined in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014));

(2) information relating to intelligence sources or methods protected by section 102A(i) of the National Security Act of 1947 (50 U.S.C. 403-1(i)); or

(3) national security information classified under Executive Order 12958 (50 U.S.C. 435 note; relating to classified national security information) (or a successor regulation).

SEC. 13. REGULATIONS.

(a) **IN GENERAL.**—The Secretary or the Commission, as appropriate, may prescribe regulations to carry out section 170 of the Atomic Energy Act of 1954 (42 U.S.C. 2210) and this Act.

(b) **REQUIREMENT.**—Rules prescribed under this section shall ensure, to the maximum extent practicable, that—

(1) the implementation of section 170 of the Atomic Energy Act of 1954 (42 U.S.C. 2210) and this Act is consistent and equitable; and

(2) the financial and operational burden on a Commission licensee in complying with section 170 of that Act is not greater as a result of the enactment of this Act.

(c) **APPLICABILITY OF PROVISION.**—Section 553 of title 5, United States Code, shall apply with respect to the promulgation of regulations under this section.

(d) **EFFECT OF SECTION.**—The authority provided under this section is in addition to, and does not impair or otherwise affect, any other authority of the Secretary or the Commission to prescribe regulations.

SEC. 14. EFFECTIVE DATE.

This Act takes effect on the date on which the Convention enters into force for the United States under Article XX of the Convention.

**JOHN MILTON BRYAN SIMPSON
UNITED STATES COURTHOUSE**

Mr. FRIST. Mr. President, I ask unanimous consent that the EPW Committee be discharged and the Senate immediately proceed to H.R. 315.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 315) to designate the United States Courthouse at 300 North Hogan Street, Jacksonville, FL as the “John Milton Bryan Simpson United States Courthouse.”

There being no objection, the Senate proceeded to consider the bill.

The bill (H.R. 315), was ordered to a third reading, read the third time, and passed.

Mr. FRIST. Mr. President, I further ask unanimous consent that the Senate now proceed to the consideration of the following courthouse-naming bills, all en bloc. Calendar No. 649, H.R. 1463, H.R. 1556, H.R. 2322, H.R. 5026, H.R. 5546, H.R. 5606, H.R. 6051, Calendar No. 626, S. 3867.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the Senate proceeded to consider the bills en bloc.

**JUSTIN W. WILLIAMS UNITED
STATES ATTORNEY'S BUILDING**

The bill (H.R. 1463), to designate a portion of the Federal building located at 2100 Jamieson Avenue, in Alexandria, Virginia, as the “Justin W. Williams United States Attorney's Building”, was considered, ordered to a third reading, read the third time, and passed.

**CLYDE S. CAHILL MEMORIAL
PARK**

A bill (H.R. 1556) to designate a parcel of land located on the site of the Thomas F. Eagleton United States Courthouse in St. Louis, Missouri, as the “Clyde S. Cahill Memorial Park” was considered, ordered to a third reading, read the third time, and passed.

**KIKA DE LA GARZA FEDERAL
BUILDING**

A bill (H.R. 2322) to designate the Federal building located at 320 North Main Street in McAllen, Texas, as the “Kika de la Garza Federal Building” was considered, ordered to a third reading, read the third time, and passed.

ANDRES TORO BUILDING

A bill (H.R. 5026) to designate the Investigations Building of the Food and Drug Administration located at 466 Fernandez Juncos Avenue in San Juan, Puerto Rico, as the “Andres Toro Building” was considered, ordered to a third reading, read the third time, and passed.

**CARROLL A. CAMPBELL, JR.
UNITED STATES COURTHOUSE**

A bill (H.R. 5546) to designate the United States courthouse to be constructed in Greenville, South Carolina, as the “Carroll A. Campbell, Jr. United States Courthouse” was considered, ordered to a third reading, read the third time, and passed.

**WILLIAM M. STEIGER FEDERAL
BUILDING AND UNITED STATES
COURTHOUSE**

A bill (H.R. 5606) to designate the Federal building and United States courthouse located at 221 and 211 West Ferguson Street in Tyler, Texas, as the “William M. Steger Federal Building and United States Courthouse” was considered, ordered to a third reading, read the third time, and passed.

**JOHN F. SEIBERLING FEDERAL
BUILDING AND UNITED STATES
COURTHOUSE**

A bill (H.R. 6051) to designate the Federal building and United States courthouse located at 2 South Main Street in Akron, Ohio, as the “John F. Seiberling Federal Building and United States Courthouse” was considered, ordered to a third reading, read the third time, and passed.

**RUSH H. LIMBAUGH, SR., FEDERAL
COURTHOUSE**

The bill (S. 3867), to designate the Federal courthouse located at 555 Independence Street, Cape Girardeau, Missouri, as the “Rush H. Limbaugh, Sr., Federal Courthouse.”

S. 3867

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RUSH H. LIMBAUGH, SR., FEDERAL COURTHOUSE.

(a) DESIGNATION.—The Federal courthouse located at 555 Independence Street, Cape Girardeau, Missouri, shall be known and designated as the “Rush H. Limbaugh, Sr., Federal Courthouse”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal courthouse referred to in subsection (a) shall be deemed to be a reference to the Rush H. Limbaugh, Sr., Federal Courthouse.

Amend the title so as to read: “To designate the United States courthouse located at 555 Independence Street, Cape Girardeau, Missouri, as the ‘Rush H. Limbaugh, Sr., Federal Courthouse’.”

Mr. FRIST. Mr. President, I ask unanimous consent that the amendment at the desk be agreed to, the bill as amended, if amended, be read a third time and passed en bloc, and the committee-reported title amendment be withdrawn and the title amendment at the desk be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 5120) was agreed to, as follows:

(Purpose: To provide a complete substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. RUSH H. LIMBAUGH, SR. UNITED STATES COURTHOUSE.

(a) DESIGNATION.—The United States courthouse located at 555 Independence Street, Cape Girardeau, Missouri, shall be known and designated as the “Rush H. Limbaugh, Sr. United States Courthouse”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in subsection (a) shall be deemed to be a reference to the “Rush H. Limbaugh, Sr. United States Courthouse”.

The amendment (No. 5121) was agreed to, as follows:

Amend the title so as to read: “To designate the United States courthouse located at 555 Independence Street, Cape Girardeau, Missouri, as the ‘Rush H. Limbaugh, Sr. United States Courthouse’.”

The bill (S. 3867), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

INDIAN LAND CONSOLIDATION ACT AMENDMENTS OF 2006

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 536, S. 3526.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislation clerk read as follows:

A bill (S. 3526) to amend the Indian Land Consolidation Act to modify certain requirements under that act.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the amend-

ment at the desk be agreed to, the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 5119), was agreed to as follows:

On page 2, strike lines 18 through 20 and insert the following:

“(B) includes, for purposes of intestate succession only under section 207(a) and only with respect to any decedent who dies after July 20,

Beginning on page 3, strike line 12 and all that follows through page 4, line 9, and insert the following:

“(v) EFFECT OF SUBPARAGRAPH.—Nothing in this subparagraph limits the right of any person to devise any trust or restricted interest pursuant to a valid will in accordance with subsection (b).”;

On page 6, line 21, strike “that” and insert “who”.

The bill (S. 3526), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3526

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Indian Land Consolidation Act Amendments of 2006”.

SEC. 2. DEFINITIONS.

Section 202 of the Indian Land Consolidation Act (25 U.S.C. 2201) is amended—

(1) in paragraph (4)—
(A) by inserting “(i)” after “(4)”;
(B) by striking “‘trust or restricted interest in land’ or” and inserting the following: “‘(ii) ‘trust or restricted interest in land’ or”;

(C) in clause (ii) (as designated by subparagraph (B)), by striking “an interest in land, title to which” and inserting “an interest in land, the title to which interest”;

(2) by striking paragraph (7) and inserting the following:

“(7) the term ‘land’—
“(A) means any real property; and
“(B) for purposes of intestate succession

only under section 207(a), includes, with respect to any decedent who dies after July 20, 2007, the interest of the decedent in any improvements permanently affixed to a parcel of trust or restricted lands (subject to any valid mortgage or other interest in such an improvement) that was owned in whole or in part by the decedent immediately prior to the death of the decedent;”.

SEC. 3. DESCENT AND DISTRIBUTION.

Section 207 of the Indian Land Consolidation Act (25 U.S.C. 2206) is amended—

(1) in subsection (a)(2)(D)—
(A) in clause (i), by striking “clauses (ii) through (iv)” and inserting “clauses (ii) through (v)”;

(B) by striking clause (v) and inserting the following:

“(v) EFFECT OF PARAGRAPH; NONAPPLICABILITY TO CERTAIN INTERESTS.—Nothing in this paragraph—

“(I) limits the right of any person to devise any trust or restricted interest pursuant to a valid will in accordance with subsection (b); or
“(II) applies to any interest in the estate of a decedent who died during the period beginning on the date of enactment of this sub-

clause and ending on July 20, 2007 (or the last

day of any applicable period of extension authorized by the Secretary under clause (vi)).

“(vi) AUTHORITY TO EXTEND PERIOD OF NON-APPLICABILITY.—The Secretary may extend the period of nonapplicability under clause (v)(II) for not longer than 1 year if, by not later than July 2, 2007, the Secretary publishes in the Federal Register a notice of the extension.”;

(2) in subsection (c)(2), by striking “the date that is” and all that follows through the period at the end and inserting the following: “July 21, 2007.”; and

(3) in subsection (o)—

(A) in paragraph (3)—

(i) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii) and indenting the clauses appropriately; and

(ii) by striking “(3)” and all that follows through “No sale” and inserting the following:

“(3) REQUEST TO PURCHASE; CONSENT REQUIREMENTS; MULTIPLE REQUESTS TO PURCHASE.—

“(A) IN GENERAL.—No sale”; and

(ii) by striking the last sentence and inserting the following:

“(B) MULTIPLE REQUESTS TO PURCHASE.—

Except for interests purchased pursuant to paragraph (5), if the Secretary receives a request with respect to an interest from more than 1 eligible purchaser under paragraph (2), the Secretary shall sell the interest to the eligible purchaser that is selected by the applicable heir, devisee, or surviving spouse.”;

(B) in paragraph (4)—

(i) in subparagraph (A), by adding “and” at the end;

(ii) in subparagraph (B), by striking “; and” and inserting a period; and

(iii) by striking subparagraph (C); and

(C) in paragraph (5)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking “auction and”;

(II) in clause (i), by striking “and” at the end;

(III) in clause (ii)—

(aa) by striking “auction” and inserting “sale”;

(bb) by striking “the interest passing to such heir represents” and inserting “, at the time of death of the applicable decedent, the interest of the decedent in the land represented”;

(cc) by striking the period at the end and inserting “; and”;

(IV) by adding at the end the following:

“(iii)(I) the Secretary is purchasing the interest as part of the program authorized under section 213(a)(1); or
“(II) after receiving a notice under paragraph (4)(B), the Indian tribe with jurisdiction over the interest is proposing to purchase the interest from an heir that is not a member, and is not eligible to become a member, of that Indian tribe.”;

(ii) in subparagraph (B)—

(I) by striking “(B)” and all that follows through “such heir” and inserting the following:

“(B) EXCEPTION; NONAPPLICABILITY TO CERTAIN INTERESTS.—

“(i) EXCEPTION.—Notwithstanding subparagraph (A), the consent of the heir or surviving spouse”;

(II) in clause (i), by inserting “or surviving spouse” before “was residing”;

(III) by adding at the end the following:

“(ii) NONAPPLICABILITY TO CERTAIN INTERESTS.—Subparagraph (A) shall not apply to any interest in the estate of a decedent who dies on or before July 20, 2007 (or the last day of any applicable period of extension authorized by the Secretary under subparagraph (C)).”; and

(iii) by adding at the end the following: